

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1386 be amended to read as follows:

- 1 Page 2, after line 42, begin a new paragraph and insert:
- 2 "SECTION 2. IC 6-1.1-20.9-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) Except as
- 4 otherwise provided in section 5 of this chapter, an individual who on
- 5 March 1 of a particular year either owns or is buying a homestead
- 6 under a contract that provides the individual is to pay the property taxes
- 7 on the homestead is entitled each calendar year to a credit against the
- 8 property taxes which the individual pays on the individual's homestead.
- 9 However, only one (1) individual may receive a credit under this
- 10 chapter for a particular homestead in a particular year.
- 11 (b) The amount of the credit to which the individual is entitled
- 12 equals the product of:
- 13 (1) the percentage prescribed in subsection (d); multiplied by
- 14 (2) the amount of the individual's property tax liability, as that
- 15 term is defined in IC 6-1.1-21-5, which is attributable to the
- 16 homestead during the particular calendar year.
- 17 (c) For purposes of determining that part of an individual's property
- 18 tax liability that is attributable to the individual's homestead, all
- 19 deductions from assessed valuation which the individual claims under
- 20 IC 6-1.1-12 or IC 6-1.1-12.1 for property on which the individual's
- 21 homestead is located must be applied first against the assessed value
- 22 of the individual's homestead before those deductions are applied
- 23 against any other property.

(d) The percentage of the credit referred to in subsection (b)(1) is as follows:

YEAR	PERCENTAGE OF THE CREDIT
1996	8%
1997	6%
1998 through 2001 and thereafter	10%
2002 and thereafter	4%

However, the property tax replacement fund board established under IC 6-1.1-21-10, in its sole discretion, may increase the percentage of the credit provided in the schedule for any year, if the board feels that the property tax replacement fund contains enough money for the resulting increased distribution. If the board increases the percentage of the credit provided in the schedule for any year, the percentage of the credit for the immediately following year is the percentage provided in the schedule for that particular year, unless as provided in this subsection the board in its discretion increases the percentage of the credit provided in the schedule for that particular year. However, the percentage credit allowed in a particular county for a particular year shall be increased if on January 1 of a year an ordinance adopted by a county income tax council was in effect in the county which increased the homestead credit. The amount of the increase equals the amount designated in the ordinance.

(e) Before October 1 of each year, the assessor shall furnish to the county auditor the amount of the assessed valuation of each homestead for which a homestead credit has been properly filed under this chapter.

(f) The county auditor shall apply the credit equally to each installment of taxes that the individual pays for the property.

(g) Notwithstanding the provisions of this chapter, a taxpayer other than an individual is entitled to the credit provided by this chapter if:

- (1) an individual uses the residence as the individual's principal place of residence;
- (2) the residence is located in Indiana;
- (3) the individual has a beneficial interest in the taxpayer;
- (4) the taxpayer either owns the residence or is buying it under a contract, recorded in the county recorder's office, that provides that the individual is to pay the property taxes on the residence; and
- (5) the residence consists of a single-family dwelling and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling."

Page 3, after line 3, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2000] **IC 6-1.1-20.9-2, as amended by this act, applies to property taxes first due and payable after December 31, 2000.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1386 as printed January 28, 2000.)

Representative Becker